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UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

In re: CHARLES and SHERLYN

    WARNER,

    Debtors.

_____/

Case No.11-33406-D-7

Motion Control #: SS-1
Date: July 6, 2011
Time: 10:00 A.M.
Place: 501 I Street, Sacramento, CA
Courtroom: 34
Judge: Robert S. Bardwil

**MOTION AND MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF MOTION FOR ORDER COMPELLING TRUSTEE TO
ABANDON PROPERTY OF THE ESTATE**

Debtor hereby moves the Court pursuant to 11 U.S.C. Section 554(b) for an order

compelling the Trustee to abandon personal property of the estate, namely a daycare center, on

the basis that the value of this asset has been properly listed and exempted on Debtors'

bankruptcy schedules and forms.

I.

STATEMENT OF FACTS AND PROCEDURAL HISTORY

On May 27, 2011, the above captioned proceedings were filed. Debtor owns certain

personal property, a daycare center which has been properly listed and exempted.

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II.

BECAUSE THERE IS NO PROVEN EQUITY IN THE PROPERTY, THE COURT SHOULD ORDER THE TRUSTEE TO ABANDON THE PROPERTY

11 U.S.C. Section 554(b) provides as follows:

> On request of a party in interest and after notice and a hearing, the court may order the trustee to abandon any property of the estate that is burdensome to the estate or that is of inconsequential value and benefit to the estate.

As set forth above, the subject property is of no value to the estate, and the Court should order the Trustee to abandon the property.

III.

CONCLUSION

WHEREFORE, Debtors request the Court to grant this motion and order the Trustee to abandon personal property of the estate; namely the daycare center described on Schedule B.

Date: June 15, 2011

/s/ Scott Shumaker
Scott Shumaker
Attorney for Debtors